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OFFICE OF GENERAL 26, 2010 COUNSEL

## VIA FACSIMILE ((202) 219-3923) AND FEDERAL EXPRESS

Federal Elections Commission Office of the General Counsel 999 E Street, NW Washington, D.C. 20453

Re: MUR 6344 (Complainant: Georgette Yaindl)

Dear Sir/Madam:

This firm represents Hanabusa 2010 and its treasurer, Patsy Saiki (collectively, "Hanabusa 2010"), with respect to the above-referenced Matter Under Review ("MUR"), which Hanabusa 2010 received via mail on November 15, 2010. The executed Statement of Designation of Counsel is enclosed with this letter.

On behalf of Hanabusa 2010, and pursuant to 11 CFR § 111.6, the following is in response to the Complaint filed by Ms. Georgetta Yaindl in this MUR. As discussed in detail below, Hanabusa 2010 believes that there are no colorable allegations stated in Ms. Yaindl's Complaint that Hanabusa 2010 may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), and Hanabusa 2010 therefore respectfully requests the Office of the General Counsel to promptly find that no action should be taken against Hanabusa 2010 with respect to this matter.

It appears that Ms. Yaindl alleges that various acts and communications by Respondents Dayton Nukandiua, Clifford "Chip" Uwaine, Laurid Santiago and UPW AFSCME Local 646 AFL-CIO in connection with the 2010 elections violate various provisions of the Act, and that Ms. Yaindl was eventually terminated from her employment with Respondent UPW. Although Ms. Yaindl's allegations relate to certain acts and communications by the named Respondents that allegedly occurred in connection with their support for the Hanabusa 2010 campaign, Hanabusa 2010 is not a named respondent in the Complaint, and there do not appear to be any allegations by Ms. Yaindl that Hanabusa 2010 violated the Act in any manner.

In addition, to the knowledge of the Hanabusa 2010 Campaign, Hanabusa 2010 had no involvement with, or knowledge of, the alloged asts and communications by Respondents Dayton Nakanelua, Clifford "Chip" Uwaine, Laurie Santiago and UPW AFSCME Local 646 AFL-CIO described in the Complaint submitted by Ms. Yaindl. See Affidavit of Hanabusa 2010 Campaign Manager Eric Hamakawa (enclosed).

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Given the foregoing, Hanabusa 2010 believes that there is no legal or factual basis that the committee or its treasurer violated the Act, and Hanabusa 2010 respectfully requests that the General Counsel find that no action should be taken against Hanabusa 2010 with respect to Ms. Yaindl's Complaint, and promptly close this matter.

Thank you for your attention to the foregoing, and please do not hesitate to contact me should you have any questions.

Very truly yours,

WATANABE ING LLP

**BRIAN A. KANG** 

**Enclosures** 

cc: Hanabusa 2010 (w/ Encls.)



## FEDERAL ELECTION COMMISSION 999 E Street, NW Washington, DC 20463

## STATEMENT OF DESIGNATION OF COUNSEL Please use one form for each Respondent/Entity/Treasurer FAX (202) 219-3923

| NAME OF COUNSEL: _   | Brian A. Kang   |  |
|--|---|--|
| FIRM: Watanab  | e Ing   | ·  |
| ADDRESS: 999   | Brian A. Kang<br>e Ing<br>Bishop St., 23rd F          | loor   |
|  | ulu, Hawaii 96813                                     |  |
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|  | FAX (808) 544 -839                                    | 19   |
| authorized to receive a  | mi malifications and other name:                      |  |
| to act on my behalf bef  | ore the Commission.                                   | Inications from the Commission and           |
| to act on my behalf before   | ore the Commission.                                   |  |
| to act on my behalf before the second | ore the Commission.                                   | Trea Sur er Title(Treasurer/Candidate/Owner) |
| to act on my behalf before to act of act of the act of t | Detry Kowki bndent Agent - Signature                  | Trea Sur er Title(Treasurer/Candidate/Owner) |
| to act on my behalf before to act on my behalf behalf before to act on my behalf  | parry K Saki bodent Agent - Signature : Henebusa 2010 | Treasurer/Candidate/Owner) not named)        |

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation